

RECEIVED
11 FEB -3 AM 8:33
CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MNUNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Billy E McCoy

Plaintiff(s),

vs.

Case No. _____
(To be assigned by Clerk of District Court)Officer Bill Stranger, officer Kevin Lehman,
officer Dustin Schwarze, and the City of Richfield

DEMAND FOR JURY TRIAL

YES ☒ NO ☐

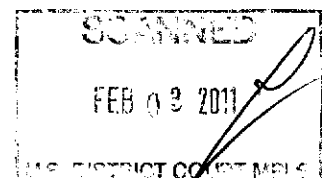
Defendant(s).

(Enter the full name(s) of ALL defendants in
this lawsuit. Please attach additional sheets
if necessary).COMPLAINT

PARTIES

1. List your name, address and telephone number. Do the same for any additional plaintiffs.

a. Plaintiff Billy E McCoy
Name Billy E McCoy
Street Address 900 Rae Dr. #8
County, City Henn, Richfield
State & Zip Code MN 55423
Telephone Number 612-559-5348



2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption.

a. Defendant No. 1

Name Bill Stanger
Street Address 6700 Portland Ave S
County, City Henn, Richfield
State & Zip Code MN 55423

b. Defendant No. 2

Name Kevin Lehman
Street Address 6700 Portland Ave S
County, City Henn, Richfield
State & Zip Code MN 55423

c. Defendant No. 3

Name Dustin Schwarze
Street Address 6700 Portland Ave S
County, City Henn, Richfield
State & Zip Code MN 55423

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☒

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.d., 2.e., etc.)

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case.

3. What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal Question ☐ Diversity of Citizenship

4. If the basis for jurisdiction is Federal Question, which Federal Constitutional, statutory or treaty right is at issue? If more than one, list each.

Fourth Amendment, unlawful Arrest

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff Name:

State of Citizenship:

Defendant No. 1:

State of Citizenship:

Defendant No. 2:

State of Citizenship:

Attach additional sheets of paper as necessary and label this information as paragraph 5.

Check here if additional sheets of paper are attached. ☐

6. What is the basis for venue in the District of Minnesota? (*check all that apply*)

☒ Defendant(s) reside in Minnesota ☐ Facts alleged below primarily occurred in Minnesota
☐ Other: explain

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in

Unlawful Arrest without search warrant
 of arrest warrant.

the caption violated the law, and how you were harmed. Each paragraph must be numbered separately, beginning with number 7. Please write each single set of circumstances in a separately numbered paragraph.

7. loss of wages, public ridicule,
and harassment

Attach additional sheets of paper as necessary.

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to as Additional Facts and continue to number the paragraphs consecutively.

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

Seeking at least \$95,000
in relief.

Signed this 15th day of January, 2009.

Signature of Plaintiff

BeyMCCs

Mailing Address

900 Rae Dr. #8

Richfield MN 55423

Telephone Number

612-559-5348

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide his/her mailing address and telephone number. Attach additional sheets of paper as necessary.

UNITED STATES DISTRICT
COURT OF MINNESOTA

Billy E McCoy,
Plaintiff,

v.

Officer Bill Stanger, Officer Kevin Lehman,
Officer Schwarze, and the City of Richfield
Defendants.

Complaint Alleging Unlawful Arrest

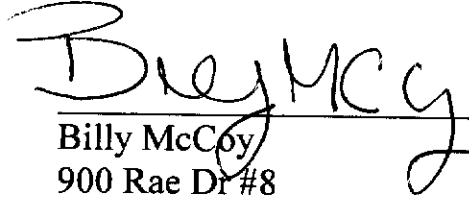
1. Plaintiff Billy E. McCoy is a resident of Richfield Minnesota. Defendants Officer Bill Stanger, Kevin Lehman, and Dustin Schwarze are employed as police officers by the city of Richfield Minnesota.
2. This action is brought for damages and other appropriate relief under 42 U.S.C§ 1983 for violation of the Plaintiffs' civil rights under the color of state law.
3. Jurisdiction is conferred upon this court by 28 U.S.C§1331 and 28 U.S.C (a) (3). Venue of this action is proper under 28 U.S.C§1391(b).
4. On or about April 10, 2009 at approximately 2:40 pm, the said officers forcibly entered the resident of a third-party without a search warrant, without arrest warrant, and without third party consent and arrested Plaintiff for trespassing. Plaintiff was taken by Defendants to the Hennepin County jail where Plaintiffs' detention lasted approximately seventeen hours.
5. Plaintiff was discharged for lack of probable cause and no further criminal proceedings are pending against plaintiff.

6. Plaintiff allege that he was arrested without probable cause by Defendants who, under available facts, abused their position as officers of the law in order to forcibly recruit Plaintiff as a police informant, despite Plaintiff expressed refusal. When Plaintiff complained to Defendants' superiors, these Defendants began a malicious campaign of threats, harassment, random searches, and arrests to pressure Plaintiff into such role.
7. Defendants further targeted Plaintiffs' friends, falsified police reports, and conspired with a private citizen in a continuous and unbroken sequence of unlawful searches, intimidation and phone threats lasting for over three years.
8. Plaintiff alleges that such arrests were a pretext for the purpose of recruiting Plaintiff into the role of police informant, and when Plaintiff refused, Defendant arrested, harassed, illegally searched the residence of Plaintiffs' associates, questioned Plaintiffs' neighbors and made multiple threats, randomly and wantonly visited Plaintiffs' home for the said purpose for exerting state pressure.
9. As a result of the above described police actions and customs, police officers of the city of Richfield, including the Defendant officers, believed that their actions would not be properly monitored by supervisory officers and that misconduct would not be investigated or sanctioned, but would be tolerated.
10. Plaintiff explicitly complained to Defendant officer's superiors; the gross indifference on the part of the policy makers of the city of Richfield demonstrated indifference to the constitutional rights of person within the city and were the cause of the violation of Plaintiff rights alleged herein.
11. Plaintiff has and continues to suffer loss of wages, humiliation, public ridicule, loss of personal reputation, emotional trauma and fear of these Defendants and their superiors as a consequence of being unlawfully arrested on criminal charges.

12. Wherefore, Plaintiff pray that as a matter of law, judgment be found against these defendants in the amount of \$95,000 for compensatory damages as well as punitive damages together with such other relief as the Court may deem appropriate to deter similar misconduct.

Date

2/1/2011

A handwritten signature in black ink, appearing to read "Billy McCoy", written over a horizontal line.

Billy McCoy

900 Rae Dr #8

Richfield Minnesota 55423

612-559-5348